

The Regular Meeting of the West Valley City Council will be held on Tuesday, November 25, 2014, at 6:30 PM, in the City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted 11/20/2014, 2:00 p.m.

AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. Opening Ceremony: Mayor Ron Bigelow
- 4. Special Recognitions
- 5. Comment Period:

(The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to five minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period.)

- A. Public Comments
- B. City Manager Comments
- C. City Council Comments
- 6. Public Hearings:

West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Sheri McKendrick.

A. Accept Public Input Regarding Application No. SV-1-2014, filed by West Valley City, Requesting to Vacate the 6-Foot Alley Located Between Lots 36 & 37, Lots 54 & 55 and Lots 74 & 75 of the Granger Park Subdivision Located at Approximately 1930 West 3255 South

Action: Consider Ordinance No. 14-42, Vacating the 6-Foot Alley Located in the Granger Park Subdivision Between Lots 36 & 37, Lots 54 & 55 and Lots 74 & 75 in West Valley City

B. Accept Public Input Regarding Application No. Z-4-2014, filed by Joe Cunningham, Requesting a Zone Change from Zone 'A' (Agriculture) to Zone 'C-2' (General Commercial) for Property Located at 2938 South Glen Eagles Drive

Action: Consider Ordinance No. 14-43, Amending the Zoning Map to Show a Change of Zone for Property Located at 2938 South Glen Eagles Drive from Zone 'A' (Agriculture) to Zone 'C-2' (General Commercial)

C. Accept Public Input Regarding Application No. GP-1-2014, filed by West Valley City, to Update the City's Moderate Income Housing Plan

Action: Consider Ordinance No. 14-44, Adopting the 2014 Moderate Income Housing Plan as Part of the West Valley City General Plan

7. Resolutions:

- A. 14-187: Adopt the 2014 Biennial Review of the Moderate Income Housing Plan
- B. 14-188: Authorize the City to enter into a Right-of-Way Agreement with E & E Investment Co. LLC, for Property Located at 4701 West 2100 South; and to Accept a Special Warranty Deed, Grant of Temporary Construction Easement and a Public Utility Easement
- 8. Motion for Executive Session
- 9. Adjourn

The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to five minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period.

ITEM #:	
Fiscal Impact:	
Funding Source:	
Account #:	

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SV-1-2014 Alley Vacation – Granger Park Subdivision

SYNOPSIS:

Proposal: Vacate 6-foot alley – 1930 West 3255 South & 1930 West 3255 South

BACKGROUND:

West Valley City is proposing to vacate two existing walkways in the Granger Park Subdivision. This subdivision was recorded with the Salt Lake County Recorder's Office in December 1954. The walkways in question were platted as part of that subdivision and are located between lots 36 & 37, lots 54 and 55 and lots 74 and 75.

The existing condition of these walkways is not very good. It appears that portions have some type of hard surface, but mostly consist of broken down gravel, and overgrown weeds. After discussing the matter with the Public Works Department, the City has not actively maintained any of these walkways.

Staff believes that these walkways were platted to provide access from one part of the subdivision to the other. Sidewalks do not exist in the subdivision and these walkways would have been one way to provide shorter walking distances without having to use the street. There appears to be no purpose for the walkway on the north side of 3255 South as it dead-ends into the back of a residential lot without providing a connection to the north.

Although these types of walkways are not common, they do appear in some of the earlier subdivisions. Most in West Valley City have been vacated for lack of use and being a maintenance problem for the adjoining land owners. The vacation of these alleys would help eliminate graffiti, trash collection and other activities that adjacent land owners will like to see go away.

If the City does vacate these walkways, the walkway would be divided down the middle with each adjacent property owner taking three feet. There have been situations where one owner has expressed interest in the entire walkway. They would simply need to work with their neighbor to have this deeded over to them.

RECOMMENDATION:

The Planning Commission voted to approve the alley vacation.

SUBMITTED BY:

Steve Lehman Current Planning Manager

WEST VALLEY CITY, UTAH

ORDINANCE NO.

Draft Date:	
Date Adopted:	
Effective Date:	

AN ORDINANCE VACATING THE 6-FOOT ALLEY LOCATED IN THE GRANGER PARK SUBDIVISION BETWEEN LOTS 36 AND 37, LOTS 54 AND 55 AND LOTS 74 AND 75 IN WEST VALLEY CITY.

WHEREAS, the City is in receipt of petition SV-1-2014, proposing an alley vacation between lots 36 and 37, lots 54 and 55, and lots 74 and 75 of the Granger Park Subdivision and;

WHEREAS, the purpose for the vacation is to eliminate problems associated with the alleys such as graffiti, and various elements of crime; and

WHEREAS, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

WHEREAS, the City Council finds that after the public hearing, that there is good cause for the alley vacation, and that neither the public nor any person will be materially injured by the proposed vacation and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

NOW THEREFORE, BE IT ORDAINED by the City Council of West Valley City, State of Utah, as follows:

Section 1. That the vacation of the 6-foot alley as shown in Petition SV-1-2014, is hereby approved and described as follows:

A parcel of land located in the Southwest Quarter of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at the Southeast corner of lot 36, Granger Park Subdivision, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder; thence East 6 feet to the Southwest corner of lot 37 Granger Park Subdivision; thence North 243.33 feet to the Northwest corner of lot 54 Granger Park Subdivision; thence West 6 feet to the Northeast corner of lot 55 Granger Park Subdivision; thence South 243.33 feet to the point of beginning.

Also including the following description:

A parcel of land located in the Southwest Quarter of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at the Southeast corner of lot 74, Granger Park Subdivision, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder; thence East 6 feet to the Southwest corner of lot 75 Granger Park Subdivision; thence North 121.7 feet to the Northwest corner of lot 75 Granger Park Subdivision; thence West 6 feet to the Northeast corner of lot 74 Granger Park Subdivision; thence South 121.7 feet South to the point of beginning.

- Section 2. This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.
- Section 3. The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.
- Section 4. This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this _	day of	2014.
	WEST VALLEY CITY	
ATTEST:	MAYOR	
CITY RECORDER		

West Valley City Planning Commission July 9, 2014 Page 2

SV-1-2014 Alley Vacation – Granger Park Subdivision 1930 West 3255 South

BACKGROUND

West Valley City is proposing to vacate two existing walkways in the Granger Park Subdivision. This subdivision was recorded with the Salt Lake County Recorder's Office in December 1954. The walkways in question were platted as part of that subdivision and are located between lots 36 & 37, lots 54 and 55 and lots 74 and 75.

The existing condition of these walkways is not very good. It appears that portions have some type of hard surface, but mostly consist of broken down gravel, and overgrown weeds. After discussing the matter with the Public Works Department, the City has not actively maintained any of these walkways.

As discussed during the study session, these walkways were likely platted to provide access from one part of the subdivision to the other. Sidewalks do not exist in the subdivision and these walkways would have been one way to provide shorter walking distances without having to use the street. There appears to be no purpose for the walkway on the north side of 3255 South. It dead-ends into the back of a residential lot without providing a connection to the north. Should residents desire pedestrian access between blocks, there are existing roads that could serve this purpose.

Although these types of walkways are not common, they do appear in some of the earlier subdivisions. Most in West Valley City have been vacated for lack of use and being a maintenance problem for the adjoining land owners. The vacation of these alleys generally allows for property owners to take better care of these areas than has previously been done.

If the City does vacate these walkways, the walkway would be divided down the middle with each adjacent property owner taking three feet. There have been situations where one owner has expressed interest in the entire walkway. They would simply need to work with their neighbor to have this deeded over to them.

According to City Ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

- 1. Approval of the alley vacation.
- 2. Continue the application due to issues raised at the public hearing.

Applicant: Favored:
West Valley City Daniel Hubertz
1926 W 3300 S

<u>Discussion</u>: Steve Lehman presented the application. Phil Conder asked when the homeowners would be required to begin maintaining their portion of the vacated walkway. Steve replied that once City Council approves the vacation an ordinance is recorded and each land owner would acquire 3 feet which they would be required to maintain. He indicated that property owners typically absorb their portion of the vacated walkways into their property and it's often difficult to see where they once were. Latai Tupou asked if there is a timeline provided to landowners. Steve replied that a letter would be sent out and the City would monitor the progress. He indicated that it's understood that improvements can't always happen quickly due to cost, etc.

Daniel Hubertz, a neighbor, stated that he has had a lot of problems with the walkway involving vandalism, drug and alcohol use by people, etc. He indicated that he would like to see the walkway closed and added that there are many dangerous situations that he has experienced because of the walkway. Mr. Hubertz stated that he would rather work with his neighbor and figure out what to do with the property instead of keeping the walkway open. He indicated that he has been maintaining the walkway by keeping weeds down and out of his yard and would be happy to have this no longer be an issue.

Motion: Commissioner Mills moved for approval.

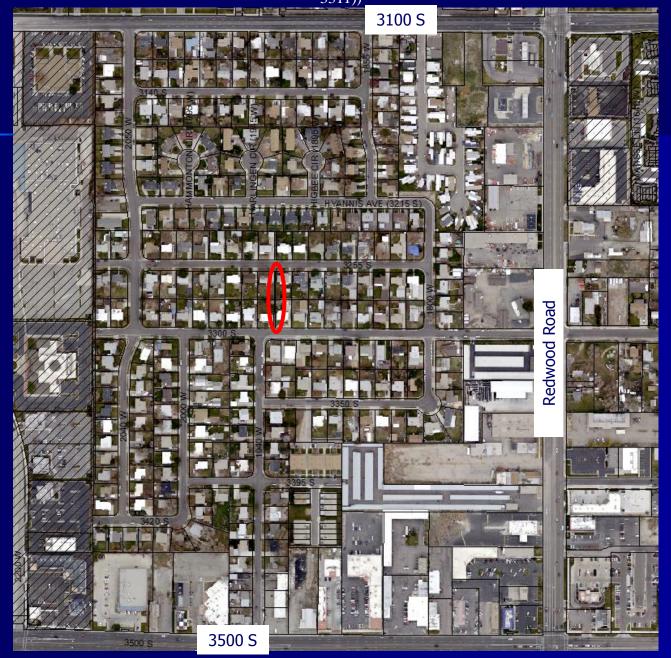
Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller Yes
Commissioner Matheson Yes
Commissioner Meaders
Commissioner Mills Yes
Commissioner Tupou Yes
Chairman Conder Yes

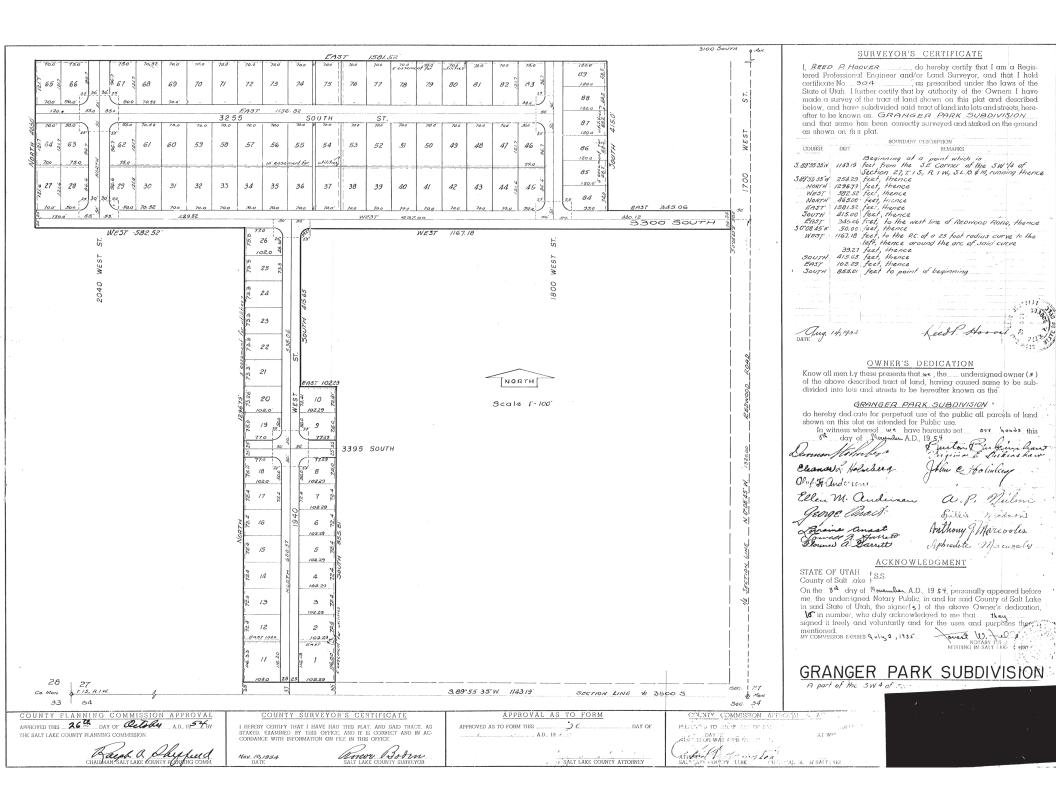
Unanimous-SV-1-2014- Approved

SV-1-2014 Petition by **WEST VALLEY CITY** requesting **consideration to vacate** an existing walkway between lots 36 and 37, lots 54 and 55, and lots 74 and 75 of the Granger Park Subdivision. The walkway is located at approximately 1930 W 3255 S. (Staff- **Steve Lehman** at 801-963-3311))



SV-1-2014 Petition by **WEST VALLEY CITY** requesting **consideration to vacate** an existing walkway between lots 36 and 37, lots 54 and 55, and lots 74 and 75 of the Granger Park Subdivision. The walkway is located at approximately 1930 W 3255 S. (Staff- **Steve Lehman** at 801-963-3311))









Item:		
Fiscal Impact:	N/A	
Funding Source:	N/A	
Account #:	N/A	
Budget Opening Re	equired.	

ISSUE:

Application: #Z-4-2014

Applicant: Joe Cunningham

Location: 2938 S Glen Eagles Drive

Size: 2 acres

SYNOPSIS:

Change zone from 'A' (agriculture) to 'C-2' (general commercial).

BACKGROUND:

Joe Cunningham has requested a zone change for two parcels totaling 2.0 acres at 2938 South Glen Eagles Drive from A (agriculture, minimum lot size of ½ acre) to C-2 (general commercial). Surrounding zones include C-2 to the east and south and RM (residential, multifamily) to the north and west. The surrounding land uses include commercial to the south, a narrow vacant strip and then commercial to the east and vacant land to the north and west. The Mountain View Corridor will be built to the west of the subject property, which is designated as general commercial in the General Plan.

Development Proposal

If this application is approved, Mr. Cunningham plans to consolidate the subject two parcels with the parcel to the east and develop the property as storage units along with an auto brokerage building approved by the Planning Commission in 2012 (C-43-2012). Attached to this issue paper is a letter from Mr. Cunningham in support of this application as well as a concept plan for the proposed storage units.

Staff supports commercial zoning on the subject property for the following reasons:

- Commercial use is anticipated in the General Plan.
- There is existing commercial use on two sides.
- The Mountain View Corridor will be located to the west of the property. UDOT has already acquired the property to the west.
- Given the narrow access to the subject property with the associated limited visibility from Glen Eagles Drive, storage units seem like a good fit here.

RECOMMENDATION:

The Planning Commission and staff recommend approval.

SUBMITTED BY:

Steve Pastorik, Assistant CED Director/Planning Director

WEST VALLEY CITY, UTAH

Draft Date:	
Date Adopted:	
Effective Date:	

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2938 S GLEN EAGLES DRIVE FROM ZONE 'A' (AGRICULTURE) TO ZONE 'C-2' (GENERAL COMMERCIAL)

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in application #Z-4-2014, filed by Joe Cunningham, located at 2938 S Glen Eagles Drive is hereby reclassified from zone 'A' (agriculture) to zone 'C-2' (general commercial) said property being more particularly described as follows:

PARCEL #: 1426276002

BEG 3966.46 FT N & 742.44 FT W FR SE COR SEC 26, T 1S, R 2W,S L M; W 159.56 FT; S 273 FT; E 159.56 FT; N 273 FT TO BEG. 1.0 AC M OR L

PARCEL #: 1426276003

BEG 3966.46 FT N & 742.44 FT W FR SE COR SEC 26, T 1S, R 2W,S L M; S 257 FT; E 169.56 FT; N 257 FT; W 169.56 FT TO BEG 1.0 AC M OR L

SECTION 2. ZONIN	NG MAP AMENDMEN	NT.
The West Valley City 2	Zoning Map shall be ame	ended to show the change.
SECTION 3. EFFEC	CTIVE DATE.	
This ordinance shall ta	ke effect immediately up	on posting, as required by law.
DATED this	day of	, 2014.
	W	VEST VALLEY CITY
	$\overline{\mathbf{v}}$	IAYOR
ΓEST:	141	AION

CITY RECORDER



COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

October 23, 2014

Joe Cunningham 2917 S Glen Eagles Drive West Valley City, UT 84120

Dear Mr. Cunningham:

The West Valley City Planning Commission voted on October 22, 2014 to recommend approval of application #Z-4-2014 to the City Council. This application is for a zone change from 'A' (agriculture) to 'C-2' (general commercial). The property is located at 2938 S Glen Eagles Drive.

You will be notified by the City Recorder of the date and time your application will appear on the City Council agenda.

Let us take this opportunity to remind you that if the City Council gives approval, you will need to come in to the Community and Economic Development Department office for subdivision approval and building permits before construction can begin. If you should have any comments or questions, please feel free to contact our office at 963-3545.

Sincerely,

Steve Pastorik

Planning Director/ Assistant CED Director

SP/nc

Steve Pastorik

Assistant CED Director

Planning Director

Steve attached are the plans for the amended and extended Colt Plaza Lot 5 Phase III

Over the last 10 years we have acquired and developed the land in phases I-III as you look at plan (1) consisting of the west half of Phase III, you can see there were two single family residences on the parcels west of lot 5.

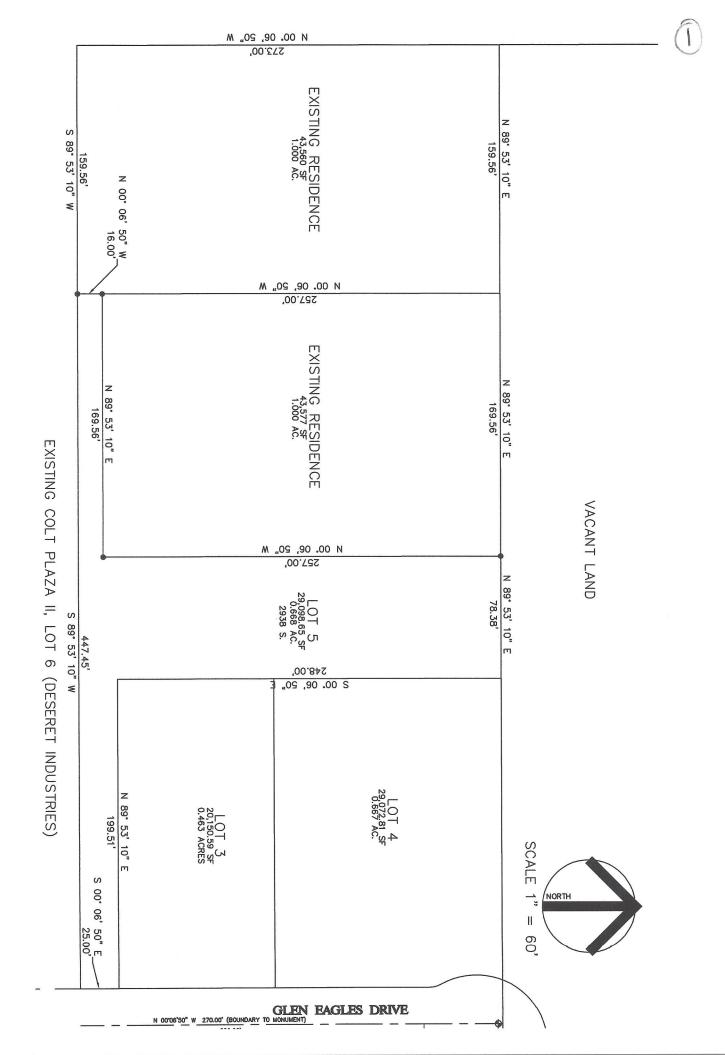
Over the last several years there were disputes with the two homeowners who had not acquired an access to cross lot 5. Two years ago after the parcel in the far west went into foreclosure it was acquired from the bank. Last year the plan was approved for the new building to be built on lot 5 as shown in page (3a,3b) but we agreed to wait and find another home for the remaining resident prior to starting construction finally after locating a replacement residence this year the last parcel was acquired

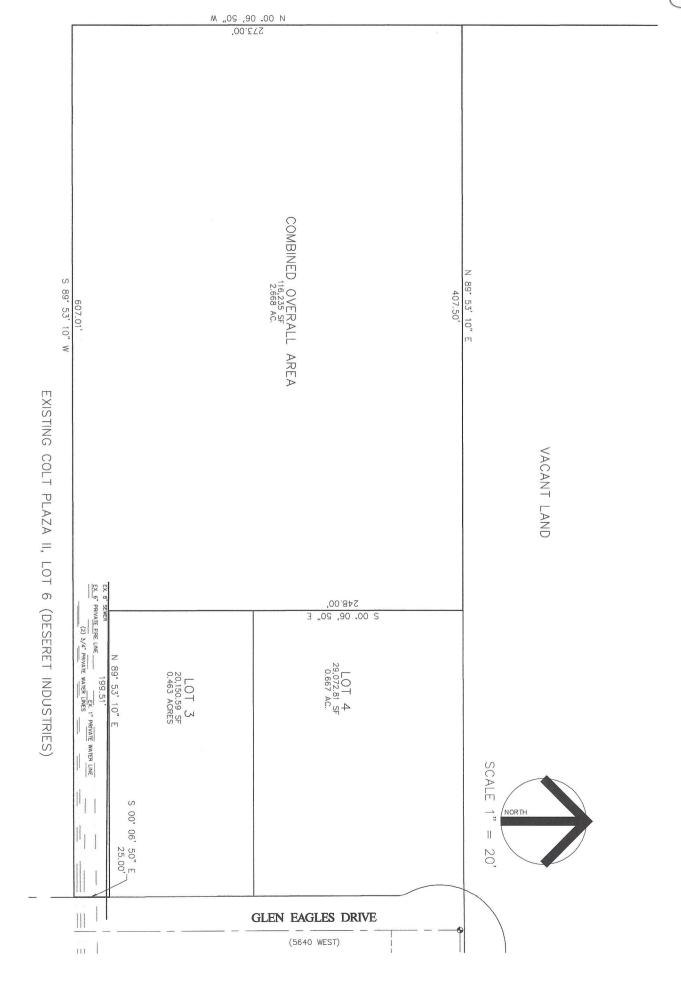
The Zoning on (1) shows lot 3,4,and 5 as a C2 zone and the 2 acres located to the west currently as residential. We would propose to change the two acres to the west of lot 5 to be changed to C2 allowing the proposed Storage units shown on (3c) to be built in conjunction with the previously approved building.

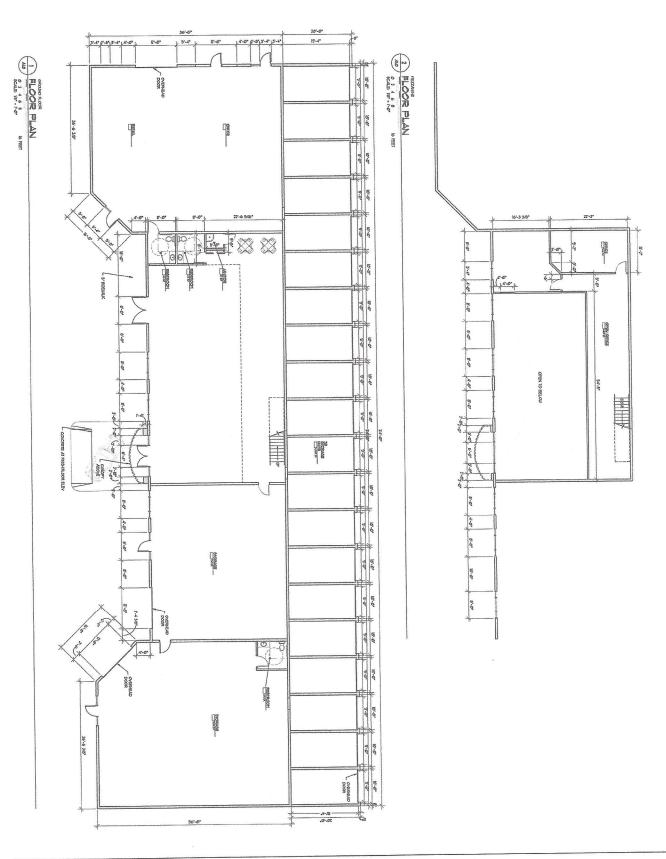
The Master plan provides for the C2 zoning the property is in the rear of the lots 3 and 4 which is a car wash and a lube center the building will consist of light retail useage and the amended and extended parcel of lot 5 will have storage units place on it as shown on (3c)

Thank Ypu

Joe Cunningham





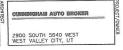








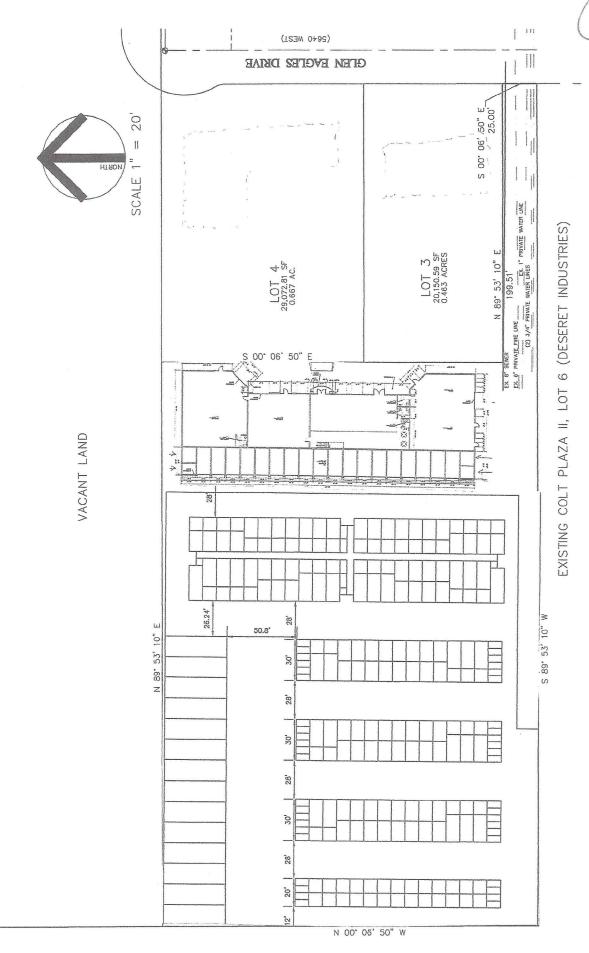




FLOOR PLAN

REWISONS

SHEET TITLE



Z-4-2014 Joe Cunningham 2938 South Glen Eagles Drive A to C-2 2.0 acres

Joe Cunningham has requested a zone change for two parcels totaling 2.0 acres at 2938 South Glen Eagles Drive from A (agriculture, minimum lot size of ½ acre) to C-2 (general commercial). Surrounding zones include C-2 to the east and south and RM (residential, multi-family) to the north and west. The surrounding land uses include commercial to the south, a narrow vacant strip and then commercial to the east and vacant land to the north and west. The Mountain View Corridor will be built to the west of the subject property, which is designated as general commercial in the General Plan.

Development Proposal

If this application is approved, Mr. Cunningham plans to consolidate the subject two parcels with the parcel to the east and develop the property as storage units along with an auto brokerage building approved by the Planning Commission in 2012 (C-43-2012). Attached to this report is a letter from Mr. Cunningham in support of this application as well as a concept plan for the proposed storage units.

Staff supports commercial zoning on the subject property for the following reasons:

- Commercial use is anticipated in the General Plan.
- There is existing commercial use on two sides.
- The Mountain View Corridor will be located to the west of the property. UDOT has already acquired the property to the west.
- Given the narrow access to the subject property with the associated limited visibility from Glen Eagles Drive, storage units seem like a good fit here.

Staff Alternatives:

- Approval, the proposed zone change complies with the General Plan.
- Continuance, for other reasons determined at the public hearing.

Applicant:

Joe Cunningham
Not Present

<u>Discussion</u>: Steve Pastorik presented the application. Barbara Thomas asked if there will be signage advertising the potential storage units. Steve replied that there will be signage on the building to the east which will be the leasing office.

Motion: Commissioner Fuller moved for approval.

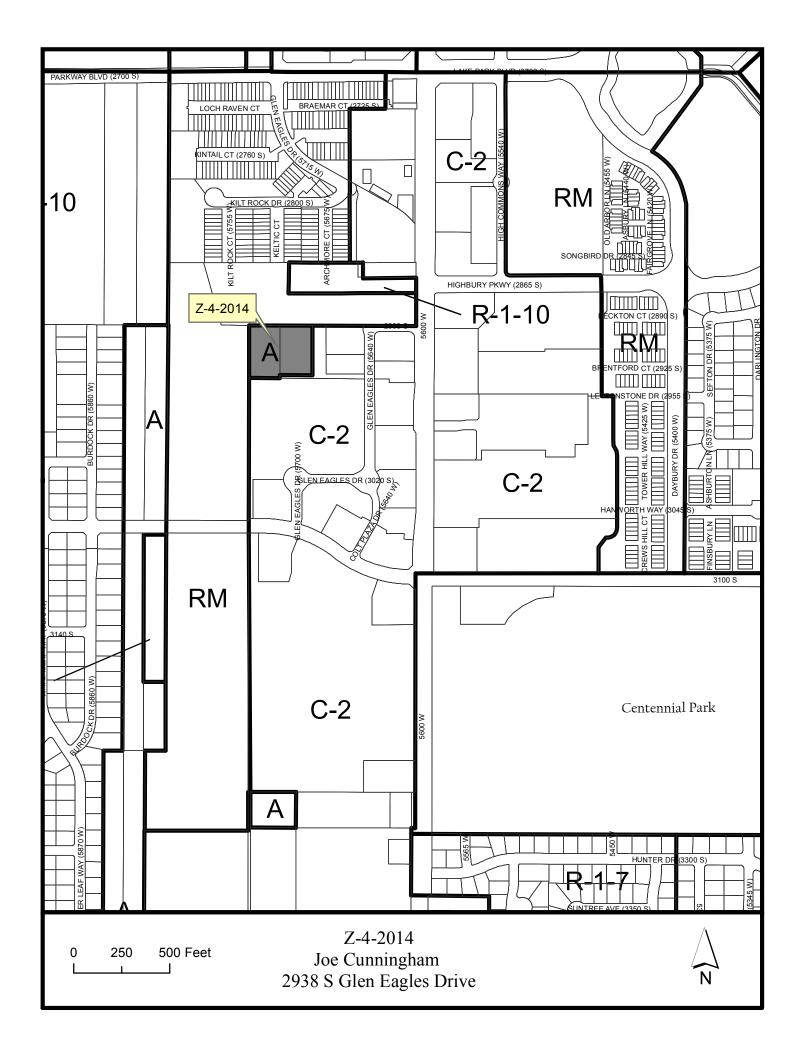
Commissioner Matheson seconded the motion.

Roll call vote:

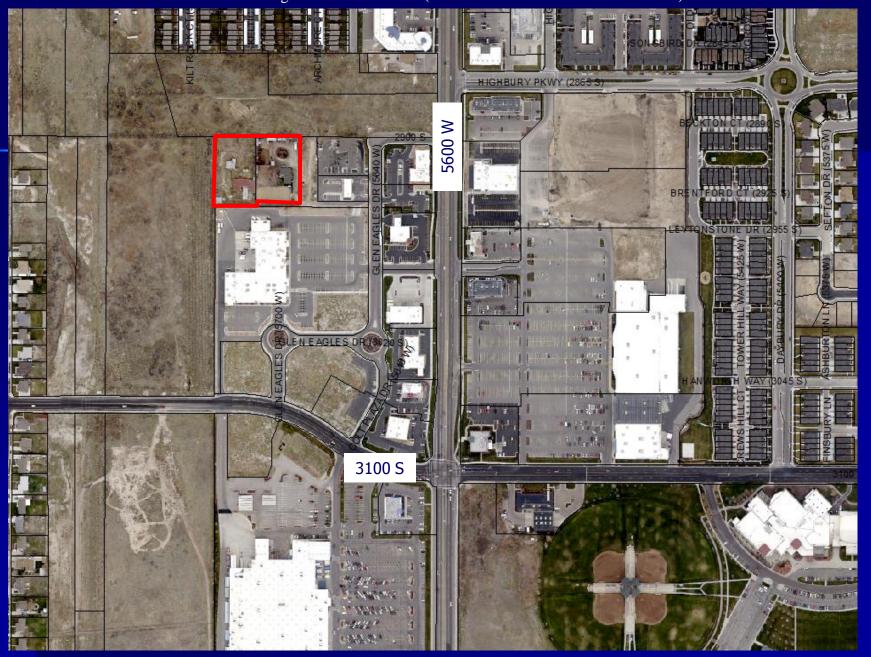
Commissioner Fuller Yes
Commissioner Matheson Yes

Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-Z-4-2014 Approved



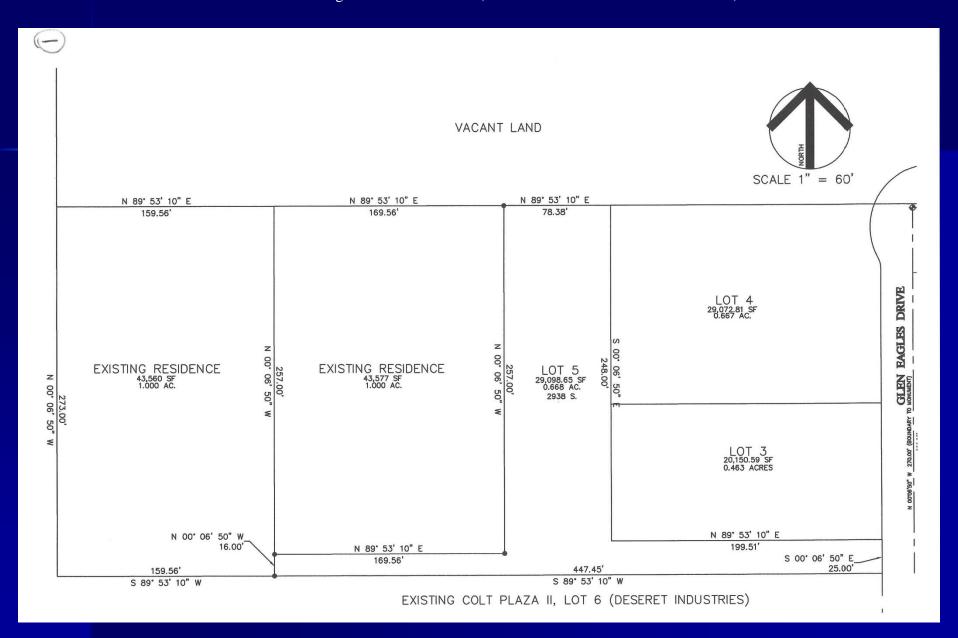
Z-4-2014 Petition by **JOE CUNNINGHAM** requesting a **zone change** from 'A' (agriculture) to 'C-2' (general commercial) on property located at 2938 S Glen Eagles Drive on 2 acres. (Staff- **Steve Pastorik** at 801-963-3545)



Z-4-2014 Petition by **JOE CUNNINGHAM** requesting a **zone change** from 'A' (agriculture) to 'C-2' (general commercial) on property located at 2938 S Glen Eagles Drive on 2 acres. (Staff- **Steve Pastorik** at 801-963-3545)



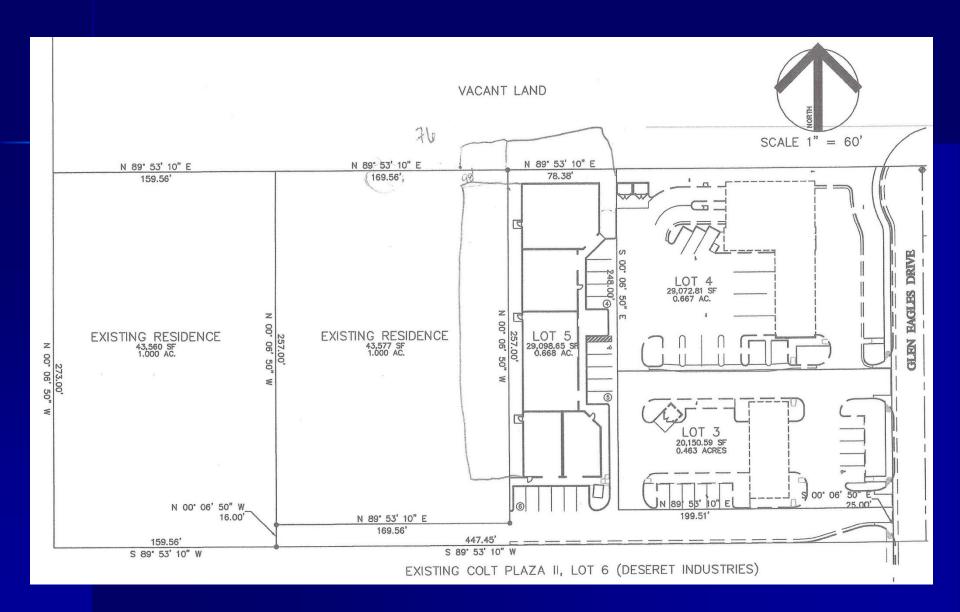
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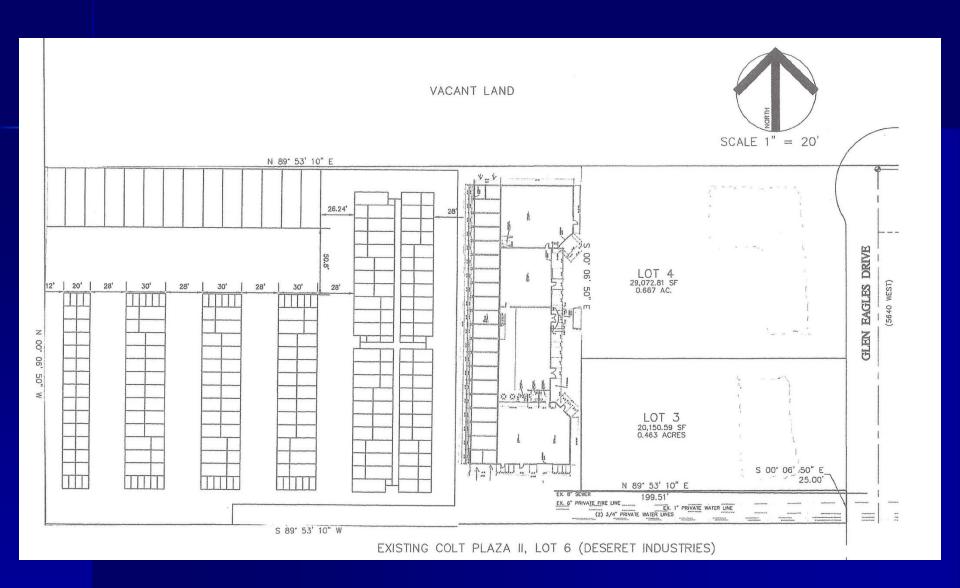
Z-4-2014 Petition by **JOE CUNNINGHAM** requesting a **zone change** from 'A' (agriculture) to 'C-2' (general commercial) on property located at 2938 S Glen Eagles Drive on 2 acres. (Staff- **Steve Pastorik** at 801-963-3545)



Z-4-2014 Petition by **JOE CUNNINGHAM** requesting a **zone change** from 'A' (agriculture) to 'C-2' (general commercial) on property located at 2938 S Glen Eagles Drive on 2 acres. (Staff- **Steve Pastorik** at 801-963-3545)



Z-4-2014 Petition by **JOE CUNNINGHAM** requesting a **zone change** from 'A' (agriculture) to 'C-2' (general commercial) on property located at 2938 S Glen Eagles Drive on 2 acres. (Staff- **Steve Pastorik** at 801-963-3545)



Item:		
Fiscal Impact: N/A	L	
Funding Source:	N/A	
Account #:	N/A	
Budget Opening Red	quired:	

ISSUE:

An ordinance approving the 2014 update to the City's Moderate Income Housing Plan.

SYNOPSIS:

This ordinance approves the 2014 update to the City's Moderate Income Housing Plan.

BACKGROUND:

Utah municipalities are required by law to perform a biennial review of the moderate income housing element of their General Plans. The 2014 Moderate Income Housing Plan addresses the following points:

- 1. An estimate of the existing supply of moderate income housing within West Valley City
- 2. An estimate of the need for moderate income housing for the next five years
- 3. A survey of total residential land use
- 4. An evaluation of how existing land uses and zoning affect the opportunity for moderate income housing
- 5. A description of West Valley City's program to encourage an adequate supply of moderate income housing

In addition, our moderate income housing includes a section on West Valley City demographics and population trends. Our analysis uses both 2012 American Community Survey data and 2010 Census data. Any 2012 data has been adjusted to provide approximate 2014 figures.

The 2014 adjusted median household income for Salt Lake County is \$59,613. Moderate income housing is defined as that which is affordable to those making 80% of the County median household income, or \$47,690. Using the U.S. Department of Housing and Urban Development's guideline for affordability that a household should not pay more than 30% of its monthly income for housing, this means a moderate income household in West Valley City could spend \$1,192 per month for housing.

Based on a survey of current and planned land use and zoning, it was determined that at the end of 2014, West Valley City had 19,883 housing units that would be affordable to moderate income families (53.7% of total West Valley City units), well in excess of the calculated need of 14,667. Based on population growth estimates and building trends, this surplus will meet our estimated requirements for the next five years even if no additional affordable units are built.

RECOMMENDATION:

The Planning Commission recommends approval to the City Council.

SUBMITTED BY:

Steve Pastorik, Planning Director/ Assistant CED Director Lee Logston, Long Range Planner

1		WEST VALLEY CITY, UTAH
2		ODDINANCE NO
3		ORDINANCE NO.
5	Draft Date:	10/22/2014
6	Date Adopted:	
7	Effective Date:	
8		
9	AN	ORDINANCE ADOPTING THE 2014 MODERATE
LO		OME HOUSING PLAN AS PART OF THE WEST
L1	VALI	LEY CITY GENERAL PLAN.
L2	WHERE	
L3		S, the West Valley City Planning Commission has reviewed and made a he City Council to update the City's Moderate Income Housing Plan which
L4 L5		ved in 1999 as part of the City's General Plan; and
LJ	was originally appro-	ved in 1777 as part of the City's General Hair, and
L 6	WHEREA	S, Moderate Income Housing is currently defined in Utah Code 10-9a-
L 7	103(29); and	
L 8	WHEREA	S, State Law requires this plan to address topics outlined in the proposed
L 9	update; and	s, state Law requires this plan to address topies outlined in the proposed
	v _F ,	
20		S, the staff has conducted a thorough analysis and the City Council of Wes
21	Valley City finds tha	t such update should be made;
22	NOW, TH	EREFORE, BE IT ORDAINED by the City Council of West Valley City
23	Utah that the City's (General Plan shall be amended as follows:
24	SECTION	1 CENEDAL DI ANI AMENDMENT
4	SECTION	1. GENERAL PLAN AMENDMENT
25	The attache	ed 2014 Moderate Income Housing Plan should be adopted as part of the
26	General Plan.	
7 7	SECTION	2 CENEDAL DI ANIMAD AMENDMENT
27	SECTION	2. GENERAL PLAN MAP AMENDMENT
28	This amend	ment does not require a general plan map amendment.
29	SECTION	3. EFFECTIVE DATE.
30	This ordinal	nce shall take effect immediately upon posting, as required by law.
31		
_		

33	PASSED, APPROVED AND	D MADE EFFECTIVE this	day of
34		, 2014.	
35			
36		WEST VALLEY CITY	
37			
38			
39		MAYOR	
40			
41	ATTEST:		
42			
43			
44	CITY RECORDER		

GP-1-2014
West Valley City
General Plan Amendment
Appendix B: 2014 Moderate Income Housing Plan

BACKGROUND:

Utah municipalities are required by State law to perform a biennial review of the moderate income housing element of their General Plans. The 2014 Moderate Income Housing Plan is required to provide:

- 1. An estimate of the existing supply of moderate income housing within West Valley City
- 2. An estimate of the need for moderate income housing for the next five years
- 3. A survey of total residential land use
- 4. An evaluation of how existing land uses and zoning affect the opportunity for moderate income housing
- 5. A description of West Valley City's program to encourage an adequate supply of moderate income housing

In addition, the Moderate Income Housing Plan includes a section on West Valley City demographics and population trends.

SUMMARY:

Our analysis uses both 2012 American Community Survey data and 2010 Census data. As 2012 is the most recent ACS data available, 2012 housing, rent, and income data is adjusted by various local growth or decline factors to provide approximate 2014 figures.

The 2014 adjusted median household income for Salt Lake County is calculated to be \$59,613. Moderate income housing is defined as that which is affordable to those making 80% of the County median household income, or \$47,690. As up to 30% of a household's monthly income can be used for housing, this means a moderate income household could have \$1,192 per month for housing.

Based on a survey of current and planned land use and zoning, it was determined that for 2014, West Valley City has 19,883 housing units (53.7% of total West Valley City units) that would be considered affordable to moderate income households, well in excess of the calculated need of 14,667. This surplus, plus the fact that over half of the City's housing units are considered affordable, will more than adequately meet our needs for the next five years.

Applicant:

West Valley City

<u>Discussion</u>: Lee Logston presented the application. Barbara Thomas stated that there are many cities that don't update this plan as frequently as they should. She indicated that West Valley City does its part in providing adequate moderate income housing.

Motion: Commissioner Thomas moved for approval.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commission Tupou	Yes
Chairman Conder	Yes

Unanimous-GP-1-2014 Approved

West Valley City 2014

Moderate Income Housing Plan

INTRODUCTION

During the 1990's, Utah experienced strong growth and housing prices rose rapidly, while incomes remained relatively stable. Consequently, housing became more expensive for those households that did not already own property. In 1996, House Bill 295 directed each Municipality in the State to adopt a plan for moderate income housing. In defining the purpose of the bill, the legislature determined "that cities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing", to meet the needs of people desiring to live there; and moderate income housing should be encouraged to allow persons with moderate incomes to benefit from and to fully participate in all aspects of neighborhood and community life." (10-9a-403 (2) (b))

As required by Utah Code 10-9a-103 (36), this Plan addresses the following topics:

- an estimate of the existing supply of moderate income housing within the City,
- an estimate of the need for moderate income housing in the City for the next five years as revised biennially,
- a survey of total residential land use,
- an evaluation of how existing land uses and zones affect opportunities for moderate income housing, and
- a description of the City's program to encourage an adequate supply of moderate income housing.

In addition to the required topics, this Plan provides a section entitled "State of the City" including information on housing prices, City demographics, building permit trends, available land, zoning, and the City's Housing Authority.

Definitions

Moderate income housing is defined in Utah Code 10-9a-103(29) as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located." West Valley City is located in Salt Lake County.

According to the U.S. Department of Housing and Urban Development (HUD), families "who pay more than 30% of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation, and medical care." Thus, the generally accepted definition of affordability is for a household to pay no more than 30 percent of its annual income on housing.

According to the Census Bureau, 2012 median household income for Salt Lake County was \$58,732. The 2014 Utah Economic Outlook (prepared by the Governor's Office of Management and Budget and the Bureau of Economic and Business Research) measured a 2013 nonfarm wage increase of 1.5% over 2012. Hence, moderate income housing in Salt Lake County during the year 2014 is defined as those housing units that were affordable to families that earn \$47,690 (80%) or less annually. Using 30% as the percentage of household income available for housing,

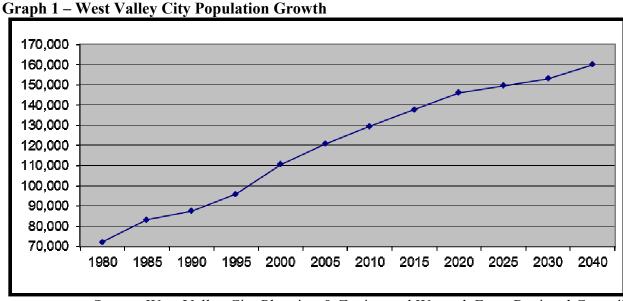
a 2014 moderate income household could spend up to \$14,307 annually or \$1,192 monthly for rent or a mortgage.

STATE OF THE CITY

Since the incorporation of West Valley City in 1980, the City has experienced steady growth and has become more ethnically diverse. Incomes in West Valley are lower than many surrounding communities and housing is more affordable. Currently a majority of the housing stock is in single family detached homes, while the multi-family housing is a combination of duplexes, four-plexes, townhomes, condos and large apartment complexes. Unfortunately, some of the older rental properties have not been well managed or maintained, creating a negative perception about multi-family housing. The following statistics create a picture of the current conditions in the City.

Population

The U.S. Census Bureau determined the population of West Valley City to be 129,480 in 2010, and the 2013 ACS estimate is 133,579. The Wasatch Front Regional Council projects the 2040 City population will be 160,000. Graph 1 shows the projected population trend for West Valley City through 2040:



Source: West Valley City Planning & Zoning and Wasatch Front Regional Council

Not only is the City growing, it is becoming more diverse. The non-white population has gone from 9.2% of the population in 1990 to 34.6% in 2010. West Valley City also experienced a significant increase in the number of Hispanic persons between 1990 and 2010. Although Salt Lake County became more diverse during this same time period, the increase in the percent of non-white and Hispanic persons was not as great as that of West Valley's. Table 1 provides a breakdown of ethnicity changes from 1990 to 2010:

Table 1 – 1990, 2000 and 2010 Race for West Valley City and Salt Lake County

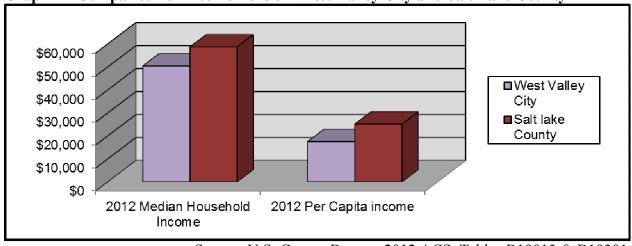
	White	African	American	Asian or	Other	Hispanic
		American	Indian	Pacific	race(s)	(of any
				Islander		race)
West Valley City- 1990	90.8%	0.8%	1.1%	4.0%	3.2%	7.1%
Salt Lake County- 1990	93.0%	0.8%	0.8%	2.8%	2.6%	6.0%
West Valley City- 2000	78.2%	1.1%	1.2%	7.2%	12.2%	18.5%
Salt Lake County- 2000	86.3%	1.1%	0.9%	3.8%	8.0%	11.9%
West Valley City- 2010	65.4%	2.0%	0.9%	5.0%	19.0%	33.1%
Salt Lake County- 2010	81.2%	1.6%	0.6%	3.3%	8.3%	17.1%
			Source:	U.S. Censu	s Bureau 2	2010 DP-1

Household size in West Valley in 1990 was 3.35 persons per household, compared to 2.98 for Salt Lake County. In 2010, West Valley City's household size grew slightly to 3.48 persons per household, while Salt Lake County's household size has remained nearly the same at 2.96.

Income

Household income directly affects housing affordability. American Community Survey estimates that 2012 median household income in West Valley City is 14% lower than in Salt Lake County, at \$50,445 versus \$58,732. Likewise, per capita income is 30% less, at \$17,566 versus \$25,167 for Salt Lake County. Graph 2 provides a comparison of median household income and per capita incomes:

Graph 2 – Comparison of Income Levels – West Valley City and Salt Lake County



Source: U.S. Census Bureau, 2012 ACS, Tables B19013 & B19301

Home Ownership and Rental Rates

In 2000 and 2010, most households in both West Valley and Salt Lake County owned rather than rented their living space. As Table 2 shows, ownership rates in the City are slightly higher than those of the County, and the number of renters continues to increase:

Table 2 – 2000, 2010, and 2012 Tenure for West Valley City and Salt Lake County

Tuble 2 2000, 2010, and 2012 I end of 101 ++ est + and f eller and suite 2011 eller						
	2000		2010		2012	
	West Valley SLCO West V		West Valley	SLCO	West	SLCO
					Valley	
Owner-occupied units	72.6%	69.0%	69.9%	67.3%	68.1%	66.7%
Renter-occupied units	27.4%	31.0%	30.1%	32.7%	31.9%	33.3%
Source: U.S. Census Bureau 2000 & 2010 SF1 QT-H2, 2012 ACS DP-04						

OPPORTUNITIES FOR MODERATE INCOME HOUSING

As required by State Code, this section provides a survey of residential land use and addresses how existing land uses and zones affect opportunities for moderate income housing.

Existing Land Use

Table 3 below provides detail on existing residential land uses in West Valley City as of 2014:

Table 3: Survey of Existing Residential Land Use in West Valley

	Acres	% of Total	
Single Family	5,774	83.4%	
Mobile Home	327	4.7%	
Duplex	159	2.3%	
Multi-Family	595	8.6%	
Total	6,856		
Source: West Valley City Planning & Zoning			

Although the majority of West Valley City's housing consists of single family homes, there are also a large number of mobile homes and multi-family units, both of which are generally more affordable than single family homes. As of the 2010 Census, 68% of West Valley City's housing units were single family homes, 25% were multi-family, and 5% were mobile homes. While this balance has not changed significantly since the Census (see Table 4), multi-family housing has accounted for 40% of building permits issued over the last three years, a slight increase from the prior 5 year average of 35%. This has largely been a response to difficulty of new homebuyers to get lending for homes and increased demand for apartments. Table 4 shows the unit breakdown for different types of housing units:

 Table 4: West Valley City Residential Unit Building Activity by Permit

	Up to	2011	2012	2013	Total	% of
	2010					Total
Single Family	26,802	89	206	201	27,298	68.1%
Multi-Family	10,146	20	245	193	10,604	26.5%
Mobile Home	2,183	0	0	0	2,183	5.4%
Total	39,131	109	451	394	40,085	

Existing Zones

Table 5 outlines the number of acres of land within each residential zone of West Valley for 2014.

Table 5: Survey of Existing Residential Zoning in West Valley

Zone	Zone Description	Min. Lot Size	2014 # of	2014 % of
			Acres	Total Acres
A-1	Agriculture	1 acre	386	3.81%
A	Agriculture	1/2 acre	1,716	16.92%
R-1-20	Single Family	20,000 sq. ft.	2	0.02%
R-1-12	Single Family	12,000 sq. ft.	39	0.38%
R-1-10	Single Family	10,000 sq. ft.	1,077	10.62%
R-1-8	Single Family	8,000 sq. ft.	4,414	43.52%
R-1-7	Single Family	7,000 sq. ft.	563	5.55%
R-1-6	Single Family	6,000 sq. ft.	720	7.10%
R-1-4	Single Family	4,000 sq. ft.	93	0.92%
R-2-8	Duplex	8,000 sq. ft.	141	1.39%
R-2-6.5	Duplex	6,500 sq. ft.	44	0.44%
R-4	Four-plex	9,000 sq. ft.	50	0.49%
RMH	Mobile Home Park	5 acres	339	3.35%
RM	Multi-Family	8,000 sq. ft.	558	5.50%
Total	-	-	10,142	

As seen above, West Valley City offers a variety of residential zones. One or more of these zones allow single family homes, mobile homes, duplexes, four-plexes, townhomes, condos and apartments. Specifically for single family, the City has a variety of lot sizes including smaller lots that help to offset the price of land. West Valley's residential zoning variety has, in part, led to the City's affordability.

West Valley City also allows planned unit developments (PUD's) in all residential zones as a conditional use. PUD's allow project density to be increased in exchange for project amenities such as open space. The City also has two zones, City Center (CC) with 49 acres and Mixed Use (MXD) with 15 acres, which allow for a combination of medium to high density residential, retail and office uses.

EXISTING SUPPLY OF MODERATE INCOME HOUSING

The existing supply of moderate income housing is a function of the number of housing units within West Valley City, the price range of these units and incomes within Salt Lake County. 2012 Census Bureau data on the numbers and values of owner-occupied and renter-occupied housing units is shown in Tables 6 and 7:

Table 6: Number of Owner-Occupied Units by Value in West Valley City for 2012

Value	Number of Units
Less than \$10,000	370
\$10,000 to \$14,999	242
\$15,000 to \$19,999	438
\$20,000 to \$24,999	298
\$25,000 to \$29,999	294
\$30,000 to \$34,999	172
\$35,000 to \$39,999	64
\$40,000 to \$49,999	95
\$50,000 to \$59,999	112
\$60,000 to \$69,999	140
\$70,000 to \$79,999	123
\$80,000 to \$89,999	140
\$90,000 to \$99,999	141
\$100,000 to \$124,999	1,706
\$125,000 to \$149,999	3,763
\$150,000 to \$174,999	6,186
\$175,000 to \$199,999	4,020
\$200,000 to \$249,999	5,308
\$250,000 to \$299,999	1,220
\$300,000 to \$399,999	642
\$400,000 to \$499,999	149
\$500,000 to \$749,999	81
\$750,000 to \$999,999	0
\$1,000,000 or more	68
Total Owner-Occupied Units	25,484
Source: U.S. Census Bureau, 20	12 American Community Survey, Table B25075

Table 7: Number of Renter-Occupied Units by Rent in West Valley City for 2012

Value	Number of Units
Less than \$100	158
\$100 to \$149	134
\$150 to \$199	127
\$200 to \$249	22
\$250 to \$299	72
\$300 to \$349	356
\$350 to \$399	63
\$400 to \$449	142
\$450 to \$499	150
\$500 to \$549	420
\$550 to \$599	433
\$600 to \$649	1,299
\$650 to \$699	1,093
\$700 to \$749	1,253
\$750 to \$799	990
\$800 to \$899	1,342
\$900 to \$999	756
\$1,000 to \$1,249	1,823
\$1,250 to \$1,499	798
\$1,500 to \$1,999	112
\$2,000 or more	18
Total Renter-Occupied Units*	11,561
*Excludes no cash rent units	
Source: U.S. Census Bureau, 2012	2 American Community Survey, Table B25056

Salt Lake County income levels are used as a means of assessing West Valley City housing affordability for three reasons. First, the State definition of moderate income housing is based on the median gross income "in the County in which the City is located." Second, comparing Salt Lake County income levels (or purchasing ability) instead of Salt Lake County housing prices to West Valley housing prices is a more reasonable means of comparison because Salt Lake County housing prices may not be balanced with the purchasing ability of Salt Lake County residents. Third, if local income levels were used to assess a community's affordability, the results would perpetuate the housing situation, good or bad, within the community. For example, using income levels from a predominantly high-end housing community to determine housing affordability within the same community would indicate that little or no affordable housing is needed since most persons living within such a high-end housing community would by necessity earn more than 80% of the median income to be able to purchase a home. Conversely, low income communities would have inordinately high demands. Table 8 shows household income by income bracket for Salt Lake County:

Table 8: 2012 Household Incomes for Salt Lake County

Income	Number of Households
Less than \$10,000	18,662
\$10,000 to \$14,999	14,319
\$15,000 to \$19,999	15,715
\$20,000 to \$24,999	17,048
\$25,000 to \$29,999	15,731
\$30,000 to \$34,999	16,704
\$35,000 to \$39,999	16,104
\$40,000 to \$44,999	16,255
\$45,000 to \$49,999	14,674
\$50,000 to \$59,999	30,569
\$60,000 to \$74,999	43,360
\$75,000 to \$99,999	48,481
\$100,000 to \$124,999	30,077
\$125,000 to \$149,999	18,307
\$150,000 to \$199,999	15,136
\$200,000 or more	13,045
Total Households	344,187
Median Household Income	\$58,732
Source: U.S. Census Bureau, 2012 Am	erican Community Survey, Table B19001 & B19013

Utilizing information from Tables 6-8, Table 9 was created to show how West Valley's house prices and rents compare with Salt Lake County income levels. House prices, rents, and incomes were adjusted to end of year 2013 based on information from the Wasatch Front Multiple Listing Service for homes, market research from Equimark for rents, and the Governor's Office of Planning and Budget's 2014 Utah Economic Outlook for income. The income category of 50% (low income) of the median is included as another reference point because the State definition of moderate income housing includes housing affordable to households with an income "equal to or less than 80% of the median gross income."

Table 9: Comparison	of West Valle	v Housing (Costs with Salt	Lake Count	v Income Levels

	Monthly	Affordable	% of	% of	% of Total	% of SLCO	
	Income for	House	Renter-	Owner-	WVC	Households	
	Housing*	Price**	Occupied	Occupied	Units	in Income	
			WVC	WVC		Bracket	
			Units	Units			
Median							
Household							
Income	\$1,490	\$246,000	87.9%	79.9%	82.4%	49.9%	
80% of							
Median	\$1,192	\$197,000	84.8%	39.6%	53.7%	39.6%	
50% of							
Median	\$745	\$123,000	40.8%	13.3%	21.9%	23.1%	
* Assumes 3	* Assumes 30% of income is available for housing						

**Assumes 4.5% interest rate, 30 year mortgage and includes taxes and insurance

The first column of Table 9 lists the three income levels used to assess housing affordability. The second column lists the amount of money a household within the given income levels could spend on housing each month on either rent or a mortgage (30% of their total income). The third column shows the maximum home price they could afford by income category. The fourth column shows the percentage of West Valley City renter-occupied units that would be affordable to persons in each of the three income levels. The fifth column lists the percentage of West Valley City owner-occupied units that would be affordable to persons in each of the three income levels. Finally, the last column shows the percentage of Salt Lake County households that earn no more than the specified incomes.

Utah Code 10-9a-403(2)(b)(i) states: "cities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing." As over half of West Valley City's housing units are affordable for persons earning 80% of the Salt Lake County median income, it is apparent that West Valley City exceeds the State's requirement of providing a "reasonable opportunity" for affordable housing. In fact, almost 20,000 of the City's roughly 37,000 housing units are affordable by the State's definition.

NEED FOR MODERATE INCOME HOUSING FOR THE NEXT FIVE YEARS

It is difficult to make projections about the need for moderate income housing in West Valley City for the next five years because doing so requires making assumptions about many things which are beyond the City's control, such as rental vacancy rates, future housing prices, interest rates and lending availability, wages, and employment rates.

Likewise it's difficult to look back at historic building trends to predict what will happen over the next five years. In West Valley City, the last five years include the tail end of the housing slump, a return to more sustainable (pre-housing bubble) single family building patterns, as well as an increase in the ratio of multi-family housing being built to meet increased rental demand. An average of 150 new single family homes and 93 multi-family units have been built each year

over the last five years. If this building trend continues for the next five years, we would expect approximately 759 new single family homes and 464 multi-family units to be built within the City. Even if none of these new housing units would be considered affordable, we have so many affordable units at present that there would still be plenty of housing options for residents of all income levels in the City.

PROGRAM TO ENCOURAGE AN ADEQUATE SUPPLY OF MODERATE INCOME HOUSING

The information preceding this section demonstrates that there is an adequate supply of moderate income housing in West Valley City. The City will continue to provide different programs through its Housing Authority to address affordability and maintenance of existing moderate income housing. These programs are outlined below.

The West Valley Housing Authority provides moderate income housing options to West Valley City residents by administering the Housing Choice Voucher Program (HCV). This program affords low income households in the renting market housing by assisting with rent payments. Guidelines dictate that seventy-five percent (75%) of the HCV tenants must be at or below the thirty percent (30%) median income (MI), with the other twenty-five percent (25%) at or below eighty percent (80%) median income (MI). Currently the West Valley Housing Authority has 513 clients receiving HCV and a waiting list of approximately 1,800 potential clients with a 3-5 year waiting period.

Under Community Development Block Grant (CDBG) and HOME funds, West Valley City is able to maintain the existing supply of owner-occupied low income housing through programs that include home rehabilitations and emergency repairs.

Item:		
Fiscal Impact: N/	'A	
Funding Source:	N/A	
Account #:	N/A	
Budget Opening R	equired:	

ISSUE:

A resolution approving the 2014 Biennial Report of Progress Made on the Moderate Income Housing Plan.

SYNOPSIS:

This resolution approves the 2014 Biennial Report of Progress Made on the Moderate Income Housing Plan, which is required by State law.

BACKGROUND:

Utah Code Section 10-9a-408 requires the legislative body of each city to biennially prepare a report outlining their review of the Moderate Income Housing Plan. The report must include a description of:

- 1. efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;
- 2. actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing;
- 3. progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing; and
- 4. efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

Staff has prepared a report for the Council to submit to the State in order to comply with State law.

RECOMMENDATION:

City staff recommends approval to the City Council.

SUBMITTED BY:

Steve Pastorik, Planning Director/ Assistant CED Director Lee Logston, Long Range Planner

WEST VALLEY CITY, UTAH

RESOLUTION NO.	
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A RESOLUTION ADOPTING THE 2014 BIENNIAL REVIEW OF THE MODERATE INCOME HOUSING PLAN.

WHEREAS, the Moderate Income Housing Plan ("Plan") was adopted in 2004 by Ordinance No. 04-52; and

WHEREAS, Utah Code Section 10-9a-408 requires the legislative body of each city to biennially prepare a review of the Plan; and

WHEREAS, the 2014 Biennial Report ("Report") reviewing the Moderate Income Housing Plan and its implementation has been prepared; and

WHEREAS, the City Council of West Valley City, Utah, hereby determines that it is in the best interests of the citizens of West Valley City to approve said Report; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Report is hereby approved in the form attached and that the Report shall be sent to the Department of Workforce Services and the Salt Lake County Council of Government.

	PASSED	AND	APPROVED th	nis _	day of
2014.					
					WEST VALLEY CITY
					MAYOR
ATTE	ST:				
CITY	RECORDE	ER		_	

Moderate-Income Housing Plan Biennial Report

As established by **Utah Code 10-9a-408**, "the legislative body of each city shall biennially review the moderate-income housing plan element of its general plan and its implementation; and prepare a report setting forth the findings of the review."

The following form was created by the Division of Housing and Community Development (HCD) to provide a convenient reporting mechanism for Utah's municipalities. Your city may either complete and return this form or submit a moderate-income housing plan biennial report of its own format, provided that the report addresses the items required by 10-9a-408.

Please return a completed copy of this form or submit your city's own biennial report using the following address:

Mail:

Division of Housing and Community Development Attn: Ashley Ward 1385 S. State St., Rm. 416 Salt Lake City, Utah 84115

Email:

ashleyward@utah.gov

If you need any assistance with your biennial report or in developing your local moderate-income housing plan, please contact Ashley Ward at (801) 468-0141, or by e-mail at ashleyward@utah.gov.

Moderate-Income Housing Plan Biennial Report

Nan	ne of City:	West Valley	y City		
Date	e Prepared: _				
Res	pondent:	Lee Logsto	n		
Posi	ition:	Long Range	e Planner		
plar	ns for Utah cit	ies, as establisl		tah Code Title 10, C	erate-income housing Chapter 9a.
1.	When did yo	ur city complete	e its moderate-inco	me housing plan? _	October 2014
2.	Has the modelegislative bo		ousing plan been ad	lopted as part of you	or general plan by the city's
	X Yes	No			
	out		you will take to co		ot yet been completed, an d a description of any
3.			oderate-income hou or the next five year		of the need for moderate-
	XYes		_ No		
				f your city's plans an stance HCD can prov	nd efforts to update this vide.
	sub	mit a quality ho	ousing plan and a cu	-	to HCD. (Cities that rt by August 31, 2014 will en Housing Program)
4.			s "to reduce, mitigat " during the past tw		regulatory barriers to
	regulatory zones; one plexes, tow variety of l	barrier to afford or more of thes withomes, condo ot sizes including	dable housing. The e zones allow singles and apartments. Song smaller lots that	City has always had e family homes, mob Specifically for single	nes, there never has been a a variety of residential pile homes, duplexes, four- e family, the City has a lice of land. West Valley's cy.

West Valley City also allows planned unit developments (PUD's) in all residential zones as a conditional use. PUD's allow project density to be increased in exchange for project amenities such as open space. The City also has two zones, City Center (CC) with 49 acres and Mixed Use (MXD) with 15 acres, which allow for a combination of medium to high density residential, retail and office uses.

5. Describe the "actions taken by [your] city to encourage the preservation of existing moderate-income housing and development of new moderate-income housing" during the past two years.

The City's housing authority administers the following programs related to maintenance and repair of moderate income housing:

Home Rehabilitation Loan

Households with income at or below 80% of the area median income (AMI) may receive low interest rate or deferred interest rate loans up to \$25,000 for home repairs to eliminate blight, conserve energy, and preserve the housing community. Typical projects include new roofs, furnaces, windows, kitchen and bathroom fixtures, and electrical and plumbing system upgrades. West Valley City annually invests approximately \$200,000 in this program, impacting 15 to 20 households.

Mobile Home Rehabilitation Grant

Households with income at or below 50% of the area median income may receive a grant to extend the useful life of a mobile home. Typical projects include new structural elements for roofs and siding, new furnaces and water heaters, and new kitchen and bathroom fixtures. West Valley City annually invests approximately \$85,000 in this program, impacting 10 to 15 households.

Emergency Repair and Minor Maintenance Assistance Program

Households with income below 50% of the area median income may receive a grant for up to \$1,000 for assistance in making emergency repairs necessary to prevent further damage or deterioration to their home. In cases where the repair cost exceeds \$1000, a 0-3% interest rate repair loan can be offered. Typical project work includes roof patching, plumbing and electrical repairs, furnace repairs, and kitchen and bathroom fixture repairs. West Valley City annually invests approximately \$10,000 in this program, impacting 10 to 15 households.

Home Facelift Program

Households with income at or below 80% of the area median income may qualify for up to a \$10,000 rebate for exterior home repairs in select neighborhoods. Additionally, a 10% discount on building materials can be obtained through participating local suppliers. Since program initiation in 2013, West Valley City has awarded \$12,277 in rebates to moderate income households.

As stated earlier, as West Valley City has a more than adequate supply of moderate income housing, there were no specific efforts over the last two years to develop new moderate income housing.

6. Describe "progress made within [your] city to provide moderate-income housing, as measured by permits issued for new units of moderate-income housing" during the past

two years.

Fully 19,883 out of 37,045 housing units in West Valley City (53.7%) can be considered affordable, including 84.8% of rental units and 39.6% of owner occupied units. As so much of our existing housing stock can be considered affordable by the State's standards, West Valley City has made no specific action to supply new affordable housing during the last two years.

7. Describe "efforts made by [your] city to coordinate moderate-income housing plans and actions with neighboring municipalities" during the last two years.

West Valley City participates in several committees/groups that focus on moderate income housing. These groups include:

- The Long Range Planning Committee to Reduce Homelessness, which meets monthly, CDBG entitlement cities along with non-profit organizations that meet quarterly to coordinate funding for housing and social programs,
- The Utah Housing Coalition, which is a group of housing authorities and non-profit housing organizations that meet monthly, and
- The HOME committee, which is a group of cities within Salt Lake County that meet to process applications for HOME funds.

8.	Please indicate which moderate-incaddresses (check all that apply):	come populations your moderate-income housing plan
	a 80-100% AMI bX 50-80% AMI c 30-50% AMI d 0-30% AM e Homeless	f Elderly g Disabled h Other (please indicate):

9. Please attach a copy of the section in your housing plan that describes your city's goals and actions to facilitate the development of moderate-income housing in your community, including the use of RDA/EDA funds for affordable housing, if applicable. If additional description or explanation is necessary, please use the space below:

Due to the abundance of housing in West Valley City that is affordable to moderate income families, the City is not actively developing new moderate income housing at this time. Current City efforts are to encourage maintenance, repair, and reinvestment in existing moderate income housing as described in the answer to question #5. West Valley City will continue to use RDA/EDA housing funds to encourage home repair and reinvestment by moderate income households through the Home Facelift Program described in question #5.

10.	Would you like to receive additional information about the Olene Walker Housing Loan Fund (OWHLF)?					
	_X Yes	No				

11.	Would you like to receive additional information about the HCD Community-Driven Housing Program (CDHP)?
	<u>X</u> Yes No
12.	Is there anything that HCD can do to assist your city in the further development and implementation of its moderate-income housing plan?
	No
13.	Are you aware of any other barriers to Fair Housing on the basis of race, color, national origin, religion, sex, disability, or familial status?
	Yes <u>X</u> No
	a. <i>If Yes</i> : Please describe those barriers and what steps are being taken to provide an adequate supply of Fair Housing in your community.

 Item #:
 \$92,000.00

 Fiscal Impact:
 \$92,000.00

 Funding Source:
 State Funds – HB-377

 Account #:
 45-9610-4750-75160-0000

 Budget Opening Required:
 Required:

ISSUE:

Right-of-way Agreement, Special Warranty Deed, Grant of Temporary Construction Easement, and Public Utility Easement from E & E Investment Co. LLC.

SYNOPSIS:

Authorization and execution of a Right-of-way Agreement and acceptance of a Special Warranty Deed, Grant of Temporary Construction Easement, and Public Utility Easement from E & E Investment Co. LLC (CR England). E & E Investment Co. LLC has signed a Right-of-way Agreement and a Public Utility Easement, and has agreed to sign a Special Warranty Deed and a Grant of Temporary Construction Easement for property located at 4701 West 2100 South.

BACKGROUND:

This parcel located at 4700 West 2100 South is one of the properties affected and benefitted by the construction of the 2400 South 4800 West Roadway Extension Project which will extend from 2400 South eastward to 4800 West and north to the SR-201 South Frontage Road. Compensation for the purchase of 18,395 square feet of property is \$92,000.00, based upon the appraisal report prepared by the DH Group, LLC.

RECOMMENDATION:

Authorize Mayor to execute Right-of-way Agreement, and accept Special Warranty Deed, Grant of Temporary Construction Easement, and Public Utility Easement. Authorize City Recorder to record Public Utility Easement. Recording of Special Warranty Deed and Grant of Temporary Construction Easement, and the distribution of funds will be handled through a title company.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Section Manager

WEST VALLEY CITY, UTAH

RESOL	LUTION NO.	

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A RIGHT OF WAY AGREEMENT WITH E & E INVESTMENT CO. LLC., FOR PROPERTY LOCATED AT 4701 WEST 2100 SOUTH AND TO ACCEPT A SPECIAL WARRANTY DEED, GRANT OF TEMPORARY CONSTRUCTION EASEMENT AND A PUBLIC UTILITY EASEMENT.

WHEREAS, E & E Investment Co. LLC, a Utah limited liability company (herein "E & E Investment"), owns property located at approximately 4701 West 2100 South in West Valley City (herein the "Property"); and

WHEREAS, the Property is affected by the construction of the 2400 South 4800 West Roadway Extension Project; and

WHEREAS, the City desires to purchase a right-of-way on the Property to facilitate construction of the Project; and

WHEREAS, E & E Investment has agreed to convey said right-of-way to the City; and

WHEREAS, an agreement has been prepared for execution by and between E & E Investment and West Valley City, a copy of which is attached hereto and entitled "West Valley City Right-of-Way Agreement" (herein the "Agreement"), which sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

WHEREAS, E & E Investment has agreed to execute a Special Warranty Deed conveying said right-of-way to the City, as well as a Grant of Temporary Construction Easement and a Public Utility Easement; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to authorize the execution of the Agreement, and to accept said Special Warranty Deed, Grant of Temporary Construction Easement and Public Utility Easement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, as follows:

1.	1. That the "West Valley City Right-of-Way Agreement" is hereby approved in substantially the form attached, and the Mayor is hereby authorized to execute said Agreement for and on behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and the City Attorney's Office.										
2	autl Cor	horized nstruction	to recor	d, the	e Specia Public U	rized to ac al Warran Jtility Ease	ty De	ed, Gr	ant of	Tempo	rary
P	ASSED,		OVED :	and	MADE	EFFECT	TIVE	this _		_ day	of
					W	EST VALL	EY CI	TY			
					$\overline{\mathbf{M}}$	AYOR					
ATTEST	··										

CITY RECORDER

WEST VALLEY CITY RIGHT-OF-WAY AGREEMENT

On this 21 day of October, 2014, E & E Investment Co., LLC, a limited liability company, of 4701 West 2100 South, West Valley City, Utah 84120, GRANTOR, hereby agrees to sell to West Valley City, a municipal corporation of the State of Utah, having an address of 3600 Constitution Boulevard, West Valley City, Utah 84119, GRANTEE, its successors and assigns, by Special Warranty Deed, a tract of land for right-of-way purposes. Said property being granted to West Valley City is described as follows:

A parcel of land located in the Northwest Quarter of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian, being part of Lot 1, CR England Subdivision, as recorded in Book 2013P at page 261 in the Office of the Salt Lake County Recorder, more particularly described as follows:

Part of Lot 1, CR England Subdivision, on file in the Office of the Salt Lake County Recorder: Beginning at the intersection of the easterly right of way line of 4800 West Street and the northerly boundary line of said Lot 1; thence S.89°43'29"E. 35.18 feet along said northerly boundary line; thence S.54°06'19"W. 49.71 feet; thence S.00°03'25"W. 1592.81 feet to the point of tangency of a 3033.00-foot radius curve to the right; thence southerly 221.55 feet along the arc of said curve, (chord bears S.02°08'58"W. 221.50 feet) to the point of reverse curvature of a 2967.00-foot radius curve to the left; thence southerly 27.92 feet along the arc of said curve, (chord bears S.03°58'21"W. 27.92 feet) to the westerly boundary line of said Lot 1; thence along said westerly boundary line the following two (2) courses and distances: (1) N.00°03'25"E. 1856.34 feet; (2) thence northeasterly 23.62 feet along the arc of a 15.00-foot radius non-tangent curve to the right, (chord bears N.45°09'23"E. 21.25 feet) to the Point of Beginning. Containing 18,395 square feet in area or 0.422 acre.

IN CONSIDERATION of the foregoing and other considerations hereinafter set forth, it is mutually agreed by the parties hereto as follows:

- 1. Said tract of land is granted free and clear of all liens and encumbrances, and partial releases for said tract of land shall be furnished to West Valley City prior to payment. The total amount in cash settlement shall be paid to GRANTOR, except such portion thereof as GRANTOR, may assign to lien-holders in obtaining the partial releases.
- 2. West Valley City shall pay \$92,000.00, in cash, for the above-described property. This amount constitutes the entire payment for all land, improvements, structures, severance, remainder or proximity damages, relocation costs, and any and all known or potential damages, costs, or value that may be related to said property. Payment shall be made within 60 days of approval of this agreement by the West Valley City Council.
- 3. Construction shall be in accordance with project plans and specifications. No work, improvement, alteration, or maintenance will be done or made other than or in addition to that provided for in this agreement.
- The conveyance to West Valley City contemplated hereunder and contained in the Special Warranty Deed does not and shall not create any set-back violations for any existing buildings, fixtures or permanent improvements located on the GRANTOR'S remaining property, nor shall such conveyance in any way restrict or modify the current uses by GRANTOR of GRANTOR'S remaining property.
- 5. This agreement and the instruments referred to herein or executed and recorded in connection herewith embody the entire understanding of the parties, and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to this property. The

representations herein contained and the performance of this agreement constitutes the entire consideration for the grant of said tract of land and shall relieve West Valley City of all further obligations or claims on that account or on account of the location, grade, and construction of the proposed improvements.

- It is understood by the parties that none of the intended improvements shall have any effect upon the existing zoning of GRANTOR'S remaining property, nor has West Valley City made any representations or promises whatsoever regarding present or future zoning except as herein expressly set forth This shall not be construed to mean that the zoning cannot be changed in the future as provided in
- r lt

West Valley City ordinances as they currently exist or as ar	
7. GRANTOR agrees to pay all taxes assessed pending assessments affecting the property up to the closed Lake County Treasurer determines there are rollback responsibility of GRANTEE to pay said taxes.	
8. This agreement is contingent on the approv	
WITNESSED the hands of said GRANTOR this	$\frac{23^{1/4}}{2}$ day of $\frac{0}{2}$
G	RANTOR
	& E Investment Co., LLC x: Engbro, LLC, its Manager
J6	sh England, Authorized Manager
State of Utah) County of Salt Lake) On this 23 rd day of October me Josh England, whose identity is personally known to me	
On this 23 rd day of Cocker me Josh England, whose identity is personally known to me evidence, and who affirmed that he is Manager of Engbro, I LLC. a limited liability company, by authority of its membe acknowledged to me that said limited liability company exec	LLC, the Manager of E & E Investment Co., or or its articles of organization, and he
DAVID KRIS ALLRED	Dave Kreens stary Public
My Comm. Exp. 02/14/2018 Commission # 673459	
WI	EST VALLEY CITY
ATTEST:	nyor

WHEN RECORDED MAIL TO:

West Valley City Recorder's Office 3600 South Constitution Blvd. West Valley City, Utah 84119

Portion of parcel #15-19-101-009

SPECIAL WARRANTY DEED

E & E Investment Co., LLC, a Utah limited liability company, having an address of 4701 West 2100 South, West Valley City, Utah 84120, GRANTOR, for the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, hereby CONVEYS, WARRANTS, TRANSFERS, AND ASSIGNS, against all claiming by through or under it, to WEST VALLEY CITY, a municipal corporation of the State of Utah, having an address of 3600 South Constitution Boulevard, West Valley City, Utah 84119, GRANTEE, the land and all the improvements thereon, located in Salt Lake County, State of Utah, as more particularly described as follows:

A parcel of land located in the Northwest Quarter of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian, being part of Lot 1, CR England Subdivision, as recorded in Book 2013P at page 261 in the Office of the Salt Lake County Recorder, more particularly described as follows:

Part of Lot 1, CR England Subdivision, on file in the Office of the Salt Lake County Recorder: Beginning at the intersection of the easterly right of way line of 4800 West Street and the northerly boundary line of said Lot 1; thence S.89°43'29"E. 35.18 feet along said northerly boundary line; thence S.54°06'19"W. 49.71 feet; thence S.00°03'25"W. 1592.81 feet to the point of tangency of a 3033.00-foot radius curve to the right; thence southerly 221.55 feet along the arc of said curve, (chord bears S.02°08'58"W. 221.50 feet) to the point of reverse curvature of a 2967.00-foot radius curve to the left; thence southerly 27.92 feet along the arc of said curve, (chord bears S.03°58'21"W. 27.92 feet) to the westerly boundary line of said Lot 1; thence along said westerly boundary line the following two (2) courses and distances: (1) N.00°03'25"E. 1856.34 feet; (2) thence northeasterly 23.62 feet along the arc of a 15.00-foot radius non-tangent curve to the right, (chord bears N.45°09'23"E. 21.25 feet) to the Point of Beginning. Containing 18,395 square feet in area or 0.422 acre.

SUBJECT TO easements, covenants, restrictions, rights-of-way and reservations appearing of record and taxes for the current year, and thereafter.

WITNESS the hand of said GRANTOR, this ______ day of ________, 2014.

GRANTOR

E & E Investment Co., LLC, a Utah limited liability company

By: Engbro, LLC, Its Manager

Josh England, Authorized Manager

Special Warranty Deed Parcel # **15-19-101-009** Page 2 of 2

State of)	
	:SS	
County of)	
On this	_ day of	, 20, personally appeared before me
g ,	J 1	wn to me or proved to me on the basis of satisfactory rized Manager of Engbro, LLC, the Manager of E &
		y company, by authority of its member or its articles
of organization, and	he acknowledged to m	e that said limited liability company executed the
same.		
	-]	Notary Public

WHEN RECORDED RETURN TO:

West Valley City Recorder 3600 South Constitution Blvd. West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL ID NO: 15-19-101-009

WEST VALLEY CITY GRANT OF TEMPORARY CONSTRUCTION EASEMENT

For valuable consideration, receipt whereof is hereby acknowledged, **E & E Investment Co., LLC, a Utah limited liability company** of 4701 West 2100 South, West Valley City, Utah 84120, GRANTOR, hereby grants and conveys to WEST VALLEY CITY, a Municipal Corporation, of the State of Utah, 3600 South Constitution Blvd., West Valley City, Utah 84119, GRANTEE, its successors and assigns, a temporary construction easement on, over, under, across and through GRANTOR'S land located at **4701 West 2100 South, West Valley City, Utah 84120**, for construction and replacement of improvements, said easement being described as follows:

A tract of land located in the Northwest Quarter of Section 19, Township 1 South, Range 1 West, Salt Lake Meridian, being more particularly described as follows:

Beginning at point on the northerly boundary of Lot 1 of the CR England Subdivision, according to the official plat thereof as recorded in Book 2013P at page 261 in the office of the Salt Lake County Recorder, said point being 80.00 feet South 0°03'25" West along the section line and 90.24 feet South 89°43'29" East from the Northwest Corner of said Section 19; and running thence South 89°43'29" East 85.00 feet along the northerly boundary of said Lot 1; thence South 0°16'31" West 25.00 feet; thence North 89°43'29" West 119.20 feet; thence North 54°06'19" East 42.36 feet to the Point of Beginning. Containing 2,552 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

This easement shall automatically terminate **July 1, 2016**, unless otherwise extended in writing by the GRANTOR.

2014.	WITNESSED th	ne hand of said GRAN	ΓOR this day of	
		, LLC, a Utah limited Manager	liability company	
Josh H	England, Author	ized Manager		
	of Utah y of Salt Lake) :ss		
me Jo satisfa of E & or its	On this on this on this on the condition of the condition	nd who affirmed that h C o, LLC, a Utah limi t	, 20, person lly known to me or proved the is the Manager of Engboted liability company , by a wledged to me that said line	co, LLC, the Manager authority of its member
			Notary Public	

WHEN RECORDED RETURN TO: West Valley City Recorder 3600 South Constitution Blvd. West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL I.D. #15-19-101-009

PUBLIC UTILITY EASEMENT

E & E Investment Co, LLC, a Utah limited liability company, whose principal place of business is located at 4701 West 2100 South, West Valley City, Utah 84120, GRANTOR, hereby grants a Public Utility Easement to West Valley City and to any and all public utility companies a perpetual, non-exclusive easement, the same to be used for the operation, maintenance, repair, alteration, and replacement of public utility lines and facilities, on, over, under, and across real property located in Salt Lake County, State of Utah, described as follows:

A parcel of land being part of an entire tract of property, situate in the West Half of the Northwest Quarter of Section 19, Township 1 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at point on the east right-of-way line of the future 4800 West Street, said point being 1368.00 feet North 00°03'25"E along the section line and 50.00 feet South 89°56'35" East from the West Quarter Corner of said Section 19; and running thence North 00°03'25" East 10.00 feet along said easterly right-of-way line; thence South 89°56'35" East 30.00 feet; thence South 00°03'25" West 10.00 feet; thence North 89°56'35" West 30.00 feet to the Point of Beginning.

The above described parcel of land contains 300 square feet.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.

WITNESSED the hand of said GRANTOR this 3 day of November, 2014.

GRANTOR

E & E Investment Co, LLC, a Utah limited liability company

Josh England, Manager

Public Utility Easement Parcel # 15-19-101-009 Page 2 of 2

State of	Mal)				
County of	sall lake	:ss)				
On this	3 da	y of NO	remover		20 <u>14</u> ,	personally
appeared before	e me Josh Englar	id, whose iden	tity is personally	known to m	e or prov	ed to me on
the basis of sati	sfactory evidence,	, and who affir	med that he is the	Manager, c	fE&E	Investment

Co, LLC, a Utah limited liability company, by authority of its members or its articles of organization, and he acknowledged to me that said limited liability company executed the same.

Notary Public



